

WASHINGTON COUNTY (UTAH). COUNTY RECORDER ^[1325]

MORTGAGES, 1884-1956.

13 microfilm reels

DESCRIPTION: County recorders are required by Utah law to record all conveyances, mortgages and other instruments, papers or notices affecting the title or possession of real property within the county (Utah Code, Annotated, 1953, 17-21-10). In 1884 Washington County recorder began keeping a separate volume for mortgages and related documents. These volumes include mortgages, chattel mortgages, corporation mortgages, mortgage releases, chattel mortgage releases, assignment of mortgages, second and third mortgages, renewal of chattel mortgages, and a few bills of sale.

A mortgage is a conditional conveyance, in which property is used as collateral to secure a loan. When the terms of the mortgage are fulfilled, the deed or conveyance becomes null and void and the title is retained by the grantor. The term "mortgage" refers to a mortgage of real estate, and "chattel mortgage" to a mortgage of personal property such as livestock, merchandise, machinery or furniture. The Territorial Legislature defined the terms of chattel mortgages and specified that the same should be recorded in the county where the mortgagor resided, and that the county recorder should keep a book specifically for that purpose with an index (Compiled Laws of Utah, 1888, chapter IV, part VI). In compliance, the Washington County recorder began a separate volume, in 1884, entitled "Chattel Mortgages." However, Book A is really a mixture of both chattel and real estate mortgages. Book A 1 contains only chattel mortgages on preprinted forms. Succeeding books contain both real estate and chattel mortgages. The statutes governing chattel mortgages were repealed by the legislature in 1965 and were superceded by the implementation of a uniform commercial code. Mortgages entered into before Dec 31, 1965 were completed and enforced, but no new chattel mortgage contracts could be made after that date (Utah Code, 1989, 70A-10-102).

Mortgage documents identify the mortgagor (borrower) and mortgagee (lender), describe the

property and specify the terms of payment. When a mortgage has been paid, the recorder sometimes entered a release or satisfaction of mortgage. However, frequently a simple notation in the margin is the only indication that a mortgage was satisfied. In addition to individual mortgages, the Washington County mortgage books contain corporation mortgages, usually detailed contracts, such as an "Indenture between Dixie Rural Electric Association and the Continental Bank and Trust Company of Salt Lake City" (Book A 16). After 1918 the books include many Federal Farm Loan Amortization Mortgages; after 1925 they include many State Land Office Farm Loans; and after 1940, United States Department of Agriculture Farm Security Administration Real Estate Mortgages. After about 1945 the previous variety of documents gives way to only real estate mortgages and releases of mortgage.

ARRANGEMENT: Washington County mortgages are arranged chronologically as they were recorded.

RELATED RECORDS: Series 82702, CHATTEL MORTGAGES INDEX, provides an index to chattel mortgages beginning in 1898. Series 23260, MORTGAGE INDEX, provides an index to mortgages beginning in 1954. The mortgage books are also referenced in series 82703, GRANTEE INDEX, and series 82704, GRANTOR INDEX. Series 16432 , ABSTRACTS, series 23555, ABSTRACTS (TOWNS), and series 23554, ABSTRACTS (SAINT GEORGE) show conveyances and encumbrances, including mortgages, by tract. Before 1884 mortgages were recorded with deeds in series 84219, DEEDS; series 23263, DEEDS (SILVER REEF); series 23264, DEEDS, (PINE VALLEY); series 23262, DEEDS (WASHINGTON); and series 23286 , DEEDS (SAINT GEORGE). After 1947 chattel mortgages were recorded in CHATTEL MORTGAGES, series 23769. After 1956 mortgages were recorded in OFFICIAL RECORDS, series 7067.

PROCESSING NOTE: Washington County mortgages were microfilmed in August and September 1973 by Utah State Archives and processed by Rosemary Cundiff in January 2001.

PREFERRED CITATION: Cite the Utah State Archives and Records Service, the creating agency name, the series title, and the series number.

CONTAINER LIST

| Reel | Description |
|------|--|
| 1 | Oct 1884-Jun 1913 (Book A) |
| 1 | Dec 1906-Jun 1915 (Book A 1) |
| 1 | Apr 1913-Dec 1916 (Book A 2 to page 553) |
| 2 | Dec 1916-May 1917 (Book A 2 continued) |
| 2 | May 1917-May 1920 (Book A 3) |
| 2 | Apr 1919-Feb 1922 (Book A 4 to page 346) |

| Reel | Description |
|-------------|---|
| 3 | Feb 1922-May 1922 (Book A 4 continued) |
| 3 | May 1922-Dec 1924 (Book A 5) |
| 3 | Dec 1924-May 1927 (Book A 6 to page 550) |
| 4 | May 1927-Jul 1927 (Book A 6 continued) |
| 4 | Jul 1927-Aug 1929 (Book A 7) |
| 4 | Aug 1929-Aug 1931 (Book A 8) |
| 5 | Aug 1931-Mar 1935 (Book A 9) |
| 5 | Mar 1935-Jun 1935 (Book A 10) |
| 5 | Jun 1935-Sep 1935 (Book A 11 to page 70) |
| 6 | Sep 1935-Aug 1937 (Book A 11 continued) |
| 6 | Aug 1937-May 1940 (Book A 12) |
| 6 | May 1940-Aug 1940 (Book A 13 to page 30) |
| 7 | Aug 1940-Sep 1942 (Book A 13 continued) |
| 7 | Sep 1942-Sep 1944 (Book A 14) |
| 8 | Sep 1944-Jan 1946 (Book A 15) |
| 8 | Jan 1946-Nov 1946 (Book A 16) |
| 9 | Dec 1946-Dec 1947 (Book A 17) |
| 9 | Dec 1947-Dec 1948 (Book A 18) |
| 9 | Dec 1948-Jan 1949 (Book A 19 to page 30) |
| 10 | Jan 1949-Dec 1949 (Book A 19 continued) |
| 10 | Dec 1949-Sep 1950 (Book A 20) |
| 10 | Sep 1950-Nov 1950 (Book A 21 to page 96) |
| 11 | Nov 1950-Jun 1951 (Book A 21 continued) |
| 11 | Jun 1951-Mar 1952 (Book A 22) |
| 11 | Mar 1952-Sep 1952 (Book A 23 to page 216) |
| 12 | Sep 1952-Mar 1953 (Book A 23 continued) |
| 12 | Mar 1953-Jun 1954 (Book A 24) |
| 12 | Jun 1954-Dec 1954 (Book A 25 to page 341) |
| 13 | Jan 1955-Feb 1956 (Book A 25 continued) |